

## REMARKS

Applicant requests favorable reconsideration and allowance of this application in view of the foregoing amendments and the following remarks.

Claims 1-20 are pending in this application, with Claims 1, 19, and 20 being independent.

Claims 1, 19, and 20 have been amended. Applicant submits that support for the amendments can be found in the original disclosure, at least for example in Fig. 11 and 12 and the corresponding description. Therefore, no new matter has been added.

Applicant appreciates the indication that Claims 4-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Because Applicant believes independent Claim 1 is allowable, for at least the reasons discussed below, Applicant has not rewritten those claims at this time.

Claims 1, 19, and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the article, "Edge Oriented Block Motion Estimation for Video Coding" by Chan et al. in view of either of the following two references: U.S. Patent No. 5,999,651 (Chang et al.), or the article entitled, "Dynamic Segmentation of Traffic Scenes" by Gianchetti et al. Claims 1-3, 15-16, and 18-20 stand rejected under Section 103(a) as being unpatentable over U.S. Patent No. 6,343,097 (Kobayashi et al.) in view of either of Chang et al. or Gianchetti et al. Applicant respectfully traverses these rejections for the reasons discussed below.

As recited in Claim 1, the present invention includes, *inter alia*, the features of judging a border block in accordance with a frequency of occurrence of a motion vector detected for each block, and setting an initial contour of an object area in accordance with the judged

border block. Independent Claims 19 and 20 recite similar features. Applicant submits that the cited art does not disclose or suggest at least these features.

Chan, et al. discloses (p. 139, left column) a block classifier which classifies blocks in accordance with a frame difference. However, that reference fails to disclose or suggest judging a border block in accordance with a frequency of occurrence of a detected motion vector, and therefore it also cannot disclose or suggest setting an initial contour in accordance with a border block judged in that manner.

Kobayashi, et al. discloses judging a contour block based on blocks having different motion vectors respectively (E in Fig. 8). However, that reference likewise fails to disclose or suggest judging a border block in accordance with a frequency of occurrence of a detected motion vector, or setting an initial contour area in accordance with a border block so judged.

The other cited references fail to remedy the deficiencies of Chan, et al. and Kobayashi, et al. Chang, et al. discloses that a user sets an initial contour (Column 9), and Giachetti, et al. discloses classifying uncertain pixels in accordance with a count of neighboring predetermined pixels (p. 261). However, neither of those references either discloses or suggests at least the above-mentioned features.

For the foregoing reasons, Applicant submits that the cited art, whether considered individually or in the proposed combinations, fails to disclose or suggest all of the features of Claims 1, 19, and 20, and therefore those claims are believed patentable over the cited art.

Dependent Claims 2-18 are believed patentable for at least the same reasons as Claim 1, as well as for the additional features they recite.

In view of the foregoing, Applicant submits that this application is in condition for allowance. Favorable consideration, entry of this Amendment, withdrawal of the outstanding rejections, and an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian L. Klock", written over a horizontal line.

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